

REMARKS

In light of the above amendments and following remarks, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 2-4, 6-8, 10, 12, amended claims 1, 5, 9 and 11-13, and new claims 14-28 are in this application.

At paragraph 3 of the outstanding Office Action dated June 26, 2003, the Examiner rejected claims 1-13 under 35 U.S.C. 102(e) as being anticipated by Negishi et al. (U.S. Patent No. 6,285,689). Applicants respectfully traverse the rejection.

Amended independent claim 1, recites in part, "A signal processing device for multiplexing first and second bit streams, **each of said first and second bit streams being formatted in accordance with a different standard**, comprising...an adding means for adding a start code **in a format corresponding to the standard of said first bit stream** to each of said units obtained by dividing said second bit stream..." (Underlining and bold added for emphasis.)

Negishi relates to an apparatus and method for verifying a multiplexing schedule for generating a multiplexed stream for a plurality of elementary streams. However, the cited portions of the reference do not appear to disclose multiplexing, for example, first and second bit streams formatted according to, in particular, standards different from each other while adding a

start code to the second bit stream in a format that corresponds to the standard of the first bit stream, as in amended claim 1 of the present application. Support for this feature can be found at Figures 4A-4D of the current drawings of the present application.

For reasons similar to those described above with regard to amended independent claim 1, amended independent claims 5, 9 and 11-13 are also believed to be distinguishable from Negishi.

Furthermore, Applicants submit that claims 2-4, 6-8, 10 and 14-28 depend, either directly or indirectly, from one of amended independent claims 1, 5, 9 and 11-13, and are therefore distinguishable for this reason alone. Additionally, Applicants submit that these claims present independently patentable combinations in and of their own right, and are therefore distinguishable for this additional reason.

Applicants therefore respectfully request that the rejection of claims 1-13 under 35 U.S.C. §102(e) be withdrawn.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicants undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference, there is the bases for a contrary view.